

**-IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**DONNA SUE GILMORE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 1:09CV53-DAS**

**COMMISSIONER OF SOCIAL SECURITY**

**DEFENDANT**

**ORDER GRANTING RELIEF FROM PRIOR ORDER**

Before the court is the Commissioner's motion requesting relief from that portion of the court's June 16 Order (# 27) requiring that attorney's fees under the Equal Access to Justice Act ("EAJA") be paid directly to the claimant's attorney. The court, having duly considered the motion, finds that it is well taken and should be granted. Therefore,

**IT IS ORDERED:**

1. That the Commissioner's motion (# 28) is hereby granted, and that portion of the court's June 16 Order requiring that the Commissioner pay attorney's fees directly to the claimant's attorney is hereby **VACATED**.

2. That the Commissioner shall pay the claimant \$4,377.50 in attorney's fees and expenses for the benefit of the claimant's attorney in these proceedings.

**THIS**, the 30<sup>th</sup> day of July, 2010.

**/s/ David A. Sanders**  
**U. S. MAGISTRATE JUDGE**